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PATENT  
Customer No. 22,852  
Attorney Docket No. 05725.1263-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
**Xavier BLIN et al.** ) Group Art Unit: 1614  
)  
Application No.: 10/785,093 ) Examiner: Unassigned  
)  
Filed: February 25, 2004 )  
)  
For: COSMETIC COMPOSITION ) Confirmation No.: 8509  
COMPRISING A DISPERSION OF )  
AT LEAST ONE POLYMER )  
PARTICLE AND AT LEAST ONE )  
COMPOUND PLASTICIZING THE )  
POLYMER )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, except for the U.S. patents and patent publications, are enclosed. Applicants note that U.S. Patent Application Publication No. 2004/0018163, cited on the enclosed form PTO/SB/08, is the publication for the U.S. non-provisional application derived from U.S. provisional application no. 60/375814, cited at paragraph [208] of the specification.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **EP 0 667 146** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. This document is also believed to be related to U.S. Patent Nos. 6,120,781 and 6,132,742, cited on the enclosed form PTO/SB/08.

2. **EP 0 749 746**- An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. This document is also believed to be related to U.S. Patent No. 5,945,095, cited on the enclosed form PTO/SB/08.

3. **EP 0 749 747**- This document is believed to be related to U.S. Patent No. 5,851,517, cited on the enclosed form PTO/SB/08.

4. **EP 0 987 012**- This document is believed to be related to U.S. Patent No. 6,326,013, cited on the enclosed form PTO/SB/08.

5. **EP 1 002 528** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. This document is also believed to be related to U.S. Patent Application Publication No. 2004/0137028 A1, cited on the enclosed form PTO/SB/08.

6. **EP 1 034 776**- An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

7. **EP 1 044 673**- This document is believed to be related to U.S. Patent No. 6,361,782, cited on the enclosed form PTO/SB/08.

8. **EP 1 163 897** - This document is believed to be related to U.S. Patent

Application Publication No. US 2002/041857 A1, cited on the enclosed form  
PTO/SB/08.

9. **EP 1 249 223** - This document is believed to be related to U.S. Patent  
Application Publication No. US 2003/039621 A1, cited on the enclosed form  
PTO/SB/08.

10. **FR 2 782 917** - An abstract of the disclosure of this document can be found  
in the English language Derwent Abstract submitted herewith.

11. **FR 2 794 970** - An abstract of the disclosure of this document can be found  
in the English language Derwent Abstract submitted herewith. This document is  
believed to be related to U.S. Patent Application Publication No. 2004/0156804, cited on  
the enclosed form PTO/SB/08.

12. **JP 8 109 121** - An abstract of the disclosure of this document can be found in  
the English language Derwent Abstract submitted herewith.

13. **WO 02/39961**: An English language abstract of the disclosure of this  
document can be found on the first page of this document.

Applicants have enclosed a copy of the priority application's French Search  
Report for the Examiner's consideration.

This submission does not represent that a search has been made or that no  
better art exists and does not constitute an admission that each or all of the listed  
documents are material or constitute "prior art." If the Examiner applies any of the  
documents as prior art against any claim in the application and applicants determine  
that the cited documents do not constitute "prior art" under United States law, applicant

reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

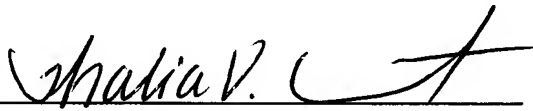
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

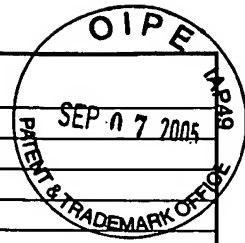
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 07, 2005

By:   
Thalia V. Warnement  
Reg. No. 39,064



IDS Form PTO/SB/08: Substitute for form 1449A/PTO  <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>				<b>Complete if Known</b>	
		Application Number	10/785,093		
		Filing Date	February 25, 2004		
		First Named Inventor	Xavier BLIN et al.		
		Art Unit	1614		
		Examiner Name	Unassigned		
		Attorney Docket Number	05725.1263-00		
Sheet	1	of	2		

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US-4,152,416	05-01-1979	Spitzer et al.	
	2	US-5,221,534	06-22-1993	DesLauriers et al.	
	3	US-5,851,517	12-22-1998	Mougin et al.	
	4	US-5,945,095	08-31-1999	Mougin et al.	
	5	US-6,120,781	09-19-2000	Le Bras et al.	
	6	US-6,132,742	10-17-2000	Le Bras et al.	
	7	US-6,326,013 B1	12-04-2001	Lemann et al.	
	8	US-6,361,782 B1	03-26-2002	Chevalier et al.	
	9	US-2002/0041857 A1	04-11- 2002	de la Poterie et al.	
	10	US-2003/039621 A1	02-27- 2003	Amaud et al.	
	11	US-2004/0137028 A1	07-15-2004	de la Poterie et al.	
	12	US-2004/0156804 A1	08-12-2004	de la Poterie et al.	
	13	US-2004/0018163 A1	01-29-2004	Yu	

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	14	EP 0 667 146 B1	08-16-1995	L'Oreal		Abstract
	15	EP 0 749 746 A1	12-27-1996	L'Oreal		Abstract
	16	EP 0 749 747 A1	12-27-1996	L'Oreal		
	17	EP 0 987 012 A1	03-22-2000	L'Oreal		
	18	EP 1 002 528 A2	07-26-2000	L'Oreal		Abstract
	19	EP 1 034 776 A1	09-13-2000	L'Oreal		Abstract
	20	EP 1 044 673 A1	10-18-2000	L'Oreal		
	21	EP 1 163 897 A1	12-19- 2001	L'Oreal		
	22	EP 1 249 223 A1	10-16- 2002	L'Oreal		
	23	FR 2 782 917 A1	03-10-2000	L'Oreal		Abstract
	24	FR 2 794 970 A1	12-22-2000	L'Oreal		Abstract
	25	JP 8-109121	04-30-1996	Kao Corp.		Abstract
	26	WO 02/39961	05-23- 2002	L'Oreal		

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<i>Application Number</i>	10/785,093
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				<i>Art Unit</i>	1614
				<i>Examiner Name</i>	Unassigned
Sheet	2	of	2	<i>Attorney Docket Number</i>	05725.1263-00

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
	27	English language Derwent Abstract of EP 0 667 146, submitted herewith	
	28	English language Derwent Abstract of EP 0 749 746, submitted herewith	
	29	English language Derwent Abstract of EP 1 002 528, submitted herewith	
	30	English language Derwent Abstract of EP 1 034 776, submitted herewith	
	31	English language Derwent Abstract of FR 2 782 917, submitted herewith	
	32	English language Derwent Abstract of FR 2 794 970, submitted herewith	
	33	English language Derwent Abstract of JP 8 109 121, submitted herewith	
	34	HANSEN, C. M. "The three Dimensional Solubility Parameter - Key to Paint Component Affinities: I. Solvents, Plasticizers, Polymers and Resins", Journal Of Paint Technology, Vol. 39, No. 50 Feb. (1967) pgs. 104-117	
	35	VAN KREVELEN, D.W. "Properties of Polymers: Their Correlation with Chemical Structure; Their Numerical Estimation and Prediction from Additive Group Contributions", Elsevier Science Publishers B.V. (1990) pgs. 190-200	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.